

# United States Bankruptcy Court

## Western District of Michigan

One Division Ave., NW

Room 200

Grand Rapids, MI 49503

**IN RE:** Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

**Albion Health Services**

809 West Erie St

Albion, MI 49224

Tax ID: 38-2742481

**Debtor(s)**

**Case Number 02-01745-jrh**

**Chapter 7**

**Honorable Jeffrey R. Hughes**

### NOTICE OF HEARING TRUSTEE'S MOTION TO SELL PROPERTY

The above motion has been filed with the Bankruptcy Court. Your rights may be affected. **You should read these papers carefully and discuss them with your attorney. (If you do not have an attorney, you may wish to consult one.)**

If you want the court to consider your views on this matter, attend the hearing scheduled to be held before the Hon. Jeffrey R. Hughes on September 28, 2006 at 12:30 pm at Room 114, US Courthouse and Federal Bldg., 410 W. Michigan Ave. Kalamazoo, MI

You or your attorney may wish to file a response explaining your position. Such response should be received at least three business days prior to the scheduled hearing. A copy should also be served upon the party who has filed the motion to his/her attorney. **Please refer to Administrative Order 2004-06 (Mandatory Electronic Filing), effective January 1, 2005, for practices and procedures for filing pleadings with the Court.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

PLEASE NOTE: NOTICE IS HEREBY GIVEN that the court may, in its discretion, orally continue or adjourn the above hearing on the record in open court. If this occurs, parties in interest will not be given further written notice of the continued or adjourned hearing. If an entity is not present at the originally scheduled hearing, information regarding the time, date and place of an orally continued or adjourned hearing may be obtained at the Clerk's office from the court files or docket.

This Notice has been returned to John T. Piggins. It is John T. Piggins (s/'s) responsibility to ensure that service of this Notice and the referenced Motion is made upon the appropriate parties not less than twenty (20) days prior to the date of hearing. (sc)



DANIEL M. LAVILLE  
CLERK OF BANKRUPTCY COURT

**Dated:** August 18, 2006

/S/ \_\_\_\_\_  
Kim Davis  
Deputy Clerk

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN**

**IN RE:**  
**ALBION HEALTH SERVICES,**  
**d/b/a Trillium Health Alliance,**  
**d/b/a Trillium Hospital,**

**Debtor.**

**Case No. HK 02-01745**  
**Chapter 7; Filed: 02/15/02**  
**HON. JEFFREY R. HUGHES**  
**U.S. Bankruptcy Judge**

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**TRUSTEE'S MOTION TO SELL PROPERTY**

James W. Boyd, Chapter 7 Trustee herein, by and through his attorneys, Miller Johnson, as his Motion to Sell Property, states as follows:

1. This case was commenced by the filing of a Voluntary Petition under Chapter 7 of the United States Bankruptcy Code on or about February 15, 2002 (the "Petition Date").

2. Included among the assets in the Debtor's estate are Debtor's shares in publicly traded common stock including, but not limited to, 450 shares of common stock of Chemical Financial Corporation and 32 shares of Jefferson Pilot Corporation (the "Property").

3. The Trustee seeks to sell this Property at its market value, not less than ten (10) and no more than thirty (30) days after the entry of an Order approving the sale.

4. On August 15, 2006, Chemical Financial Corporation closed at \$29.83 a share.

5. On August 15, 2006, Jefferson Pilot Corporation closed at \$55.94 a share.

6. All expenses of sale, including administrative, legal, and brokerage expenses, if any, shall be charged against the sale proceeds with priority over all claims.

7. The sale should be on a cash basis.

8. The Trustee believes that the sale of the Property is in the best interests of the creditors in this estate.

WHEREFORE, James W. Boyd, Trustee, respectfully requests that this Court enter an Order:

- a. Allowing it to sell any and all stock shares of the estate through any nationally registered securities brokerage firm;
- b. Authorizing the Trustee to execute any and all documents necessary to consummate the sale;
- c. Approving the sale of any and all shares of stock on the terms set forth in this Motion after hearing on notice pursuant to Federal Rules of Bankruptcy Procedure; and
- d. Granting such other and further relief as this Court deems just.

MILLER JOHNSON  
Attorneys for Trustee, James W. Boyd

Dated: August 16, 2006

By /s/ Dwight K. Hamilton  
John T. Piggins (P34495)  
Dwight K. Hamilton (P54805)  
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